

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 United States of America,
4 Plaintiff(s),
5 vs.
6 Ekaterina Aleksandrovna Lau,
7 Defendant(s).

2:23-cr-00200-GMN-MDC-1

Order

8 Pending before the Court is parties' *Stipulation as to Competency Evaluation* (ECF No. 37). The
9 Court grants the Stipulation and orders a Competency Evaluation.

10 DISCUSSION

11 On April 23, 2024, the Court held a hearing on the *Motions for Competency Evaluation* (ECF
12 Nos. 19 and 31). The Court heard representation from counsel and, for the reasons stated on record,
13 granted the Motions. ECF No. 36. Because Ms. Lau is to remain out of custody for the evaluation, the
14 Court ordered parties to submit a stipulation addressing whether the evaluation may be done at a Bureau
15 of Prisons ("BOP") facility or at a private facility. On April 29, 2024, the parties submitted their
16 *Stipulation as to Competency Evaluation* (ECF No. 37), notifying the Court that the BOP facility cannot
17 conduct an examination out of custody. The parties have come to an agreement that Ms. Lau will be
18 seen by Dr. Melissa Piasecki in Reno, Nevada for the evaluation.

19 ACCORDINGLY,

20 IT IS ORDERED that:

- 21 1. The *Stipulation as to Competency Evaluation* (ECF No. 37) is GRANTED.
22 2. In accordance with 18 U.S.C. §§ 4241, 4242, and 4247 and under the inherent powers of the
23 court to order such examination, the defendant shall be seen by Dr. Melissa Piasecki, in
24 Reno, Nevada, to determine:
25

- a. Whether defendant currently suffers from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings filed against her or assist an attorney in her own defense.
 - b. Whether defendant suffered from a mental disease or defect rendering her mentally incompetent at the time of the commission of the offense charged.
3. The examination conducted pursuant to this Order shall be conducted by one or more licensed or certified psychiatrists or clinical psychologists. 18 U.S.C. § 4247(b).
4. By no later than May 31, 2024, Dr. Melissa Piasecki shall prepare, or cause to be prepared, a psychiatric or psychological report ("Report") of defendant and that she shall send copies of such Report to the Clerk of the United States District Court for the District of Nevada, to Robert Knief and David Kiebler, Assistant United States Attorneys, and to Nicholas Wooldridge, counsel for defendant pursuant to 18 U.S.C. § 4241(b) and § 4247(b) and (c).
5. The Report shall include:
 - a. Defendant's history and present symptoms;
 - b. A description of the psychiatric, psychological, or medical tests that were employed and their results;
 - c. The examiner's findings;
 - d. The examiner's opinions as to diagnosis, prognosis;
 - e. The examiner's opinions as to whether the defendant is suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings filed against her or assist her attorney in her own defense. Thus, rendering her incompetent to stand trial at this time; and

1 f. The examiner's opinions whether defendant suffered from a mental disease or defect
2 rendering her mentally incompetent at the time of the commission of the offense
3 charged.
4

5 DATED: May 1, 2024.

6 IT IS SO ORDERED.

A handwritten signature in dark ink, consisting of stylized, overlapping loops and curves, positioned above the printed name of the judge.

Hon. Maximiliano D. Couvillier III
United States Magistrate Judge